



## Guidance notes on completing the First-tier Tribunal (Claims Management Services) application for permission to appeal to the Upper Tribunal

**These notes should be read whilst completing the First-tier application form for permission to appeal** to the Upper Tribunal against a decision where you think there has been an error in law.

This form should be sent to the Tribunal office that dealt with your case so that it is received no later than 28 days after the latest of the dates that the Tribunal sent you one of the following:-

- Full written statement of reasons for the decision
- Notification that the statement of reasons for the decision has been amended or corrected following a review
- Notification that an application for the decision to be set aside has been unsuccessful.

You must have a copy of the full written reasons for the decision before you can make your application. If you do not have full written reasons for the decision you must request this from the office where your appeal was dealt with.

You must apply to the First-tier Tribunal for permission to appeal before you can make an application or appeal to the Upper Tribunal.

You must apply to the First-tier Tribunal for permission to appeal within 28 days of the full written reasons for the decision or corrected or amended decision or notification of an unsuccessful application to set aside being sent by the Tribunal.

If an application is made outside the time-limit you must ask for an extension of time explaining the reason for the delay. You must provide valid reasons as to why the application is late and the Tribunal will decide whether or not to extend the time and allow your application to proceed.

Certain decisions are excluded from the right to appeal under the TCE Act.

## Section A – Appellant’s details

The word **Appellant** is used to describe the person who is making the application for permission to appeal. Please complete this section with your contact details.

A **representative** is someone who is helping the appellant, dealing with the correspondence and representing them at any hearing. If you have a representative, you should give their details in the boxes provided in this section, including their status (e.g. solicitor, accountant, consultant, etc.). The First-tier Tribunal office will then correspond only with your representative. Legal aid for representation is not available for first-instance appeals to the First-tier Tribunal (Claims Management Services) or on further appeal in the Upper Tribunal. Further details can be obtained from the First-Tier Tribunal (Claims Management Services) website [www.justice.gsi.gov.uk](http://www.justice.gsi.gov.uk)

## Section B – About the decision of the First-tier Tribunal (Claims Management Services)

Please tell us

- The reference number of your original appeal to the First-tier Tribunal
- Date of the written reasons of the First-tier Tribunal decision
- When you received the written reasons for the decision from the First-tier Tribunal
- If appropriate,
  - a) The date of notification of amended reasons for, or correction of, the decision following a review, or
  - b) (If later) the date of notification that any application for the decision to be set aside has been unsuccessful

## Section C – Time limit for Applying for permission to appeal to the Upper Tribunal

Your completed application for permission to appeal should reach the Tribunals Service within 28 days after the latest of the dates that the First-tier Tribunal (Claims Management Services) sent you written reasons for the decision, or notification of any amended reasons for or correction of the decision following a review, or notification that any application for the decision to be set aside has been unsuccessful. If it reaches us after 28 days you must ask the Tribunal to extend the time limit for making the application giving full reasons as to why it is late.

## **Section D – Reasons for applying and outcome requested.**

You must explain why you think the First-tier Tribunal decision is wrong in law and state the outcome you are seeking.

Examples of mistakes that may mean the decision is wrong in law are:-

- The Tribunal did not apply the correct law or wrongly interpreted the law;
- The Tribunal had no evidence, or not enough evidence, to support its decision;
- The Tribunal did not give adequate reasons for the decision.

This list is not exhaustive and the First-tier Tribunal's decision may be wrong in law for another reason. You should explain in as much detail as possible why the decision **in your particular case** is wrong in law. If you are unsure whether the Tribunal was wrong in law you may wish to consult an adviser but you should not miss the **28 day** time limit for sending in your application form.

## **Section E – Stay or suspension of decision of the First-tier Tribunal (Claims Management Services) pending appeal**

If you want to request that the Tribunal stays or suspends its decision pending determination of your application then you should complete this section giving reasons for your request.

## **Section F – Signature and date**

Please sign and date as applicable.

## **Sending the application form to the First-tier Tribunal.**

Please post, email or fax this completed form, together with a copy of the final decision to which this application relates and any other supporting documents, to:-

HM Courts & Tribunals Service  
First-tier Tribunal (Claims Management Services)  
General Regulatory Chamber  
PO Box 9300  
Leicester LE1 8DJ

Email: [GRC.claimsmanagement@hmcts.gsi.gov.uk](mailto:GRC.claimsmanagement@hmcts.gsi.gov.uk)

Fax number: 0116 2494253

We can help if you need information in a different format (e.g. Braille, large print). We can also provide this form in Welsh if required. If you need any of these services please contact the First-tier Tribunal (Claims Management Services).

This form can also be downloaded from our website: [www.justice.gov.uk](http://www.justice.gov.uk)